

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
AMARILLO DIVISION

CLERK US DISTRICT COURT
NORTHERN DIST. OF TX
FILED

2011 MAR 15 PM 3:59

DEPUTY CLERK

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BRANDON K. THRASHER, PRO SE,

Plaintiff,

v.

CITY OF AMARILLO ET AL.,

Defendants

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2:10-CV-0036

(USCA Case No. 11-10153)

**ORDER GRANTING MOTION TO PROCEED
IN FORMA PAUPERIS ON APPEAL; AND SANCTION ORDER**

Appellant, a free-world litigant, is proceeding pro se, and requests leave to proceed in forma pauperis on appeal. Upon receipt of appellant's request, the Court issued a February 17, 2011 Order to Provide Additional Information, with attached Questionnaire. Appellant filed his February 25, 2011 Response by which he stated there had been no change in his current financial situation, that he was tired of the Court's "little games," and that he would not take orders "from a judge that was dismissed from the case."

Finding appellant had submitted an improper pleading which did not comply with the Court's Order and which violated Rule 11, FED.R.CIV.PRO., the Magistrate Judge issued his February 28, 2011 Findings of Fact, Conclusions of Law, and Recommendation, recommending that appellant be denied pauper status.

On February 28, 2011, appellant filed a response to the Court's Questionnaire, providing the information elicited by the Court in its February 17, 2011 Order.

The Court has considered the appellant's February 15, 2011 Application to Proceed In Forma Pauperis; the Magistrate Judge's February 28, 2011 Findings of Fact, Conclusions of Law,

and Recommendation; and appellant's February 28, 2011 response to the Order to Provide Additional Information.

Although appellant has failed to object to the February 28, 2011 Findings of Fact, Conclusions of Law, and Recommendation, the Court accepts his February 28, 2011 response in lieu of such objection.

In light of appellant's pro se status and his eventual compliance with the Court's February 17, 2011 Order to Provide Additional Information, the Court has considered appellant's February 28, 2011 response and finds appellant should be and HEREBY IS GRANTED PERMISSION TO PROCEED IN FORMA PAUPERIS ON APPEAL.

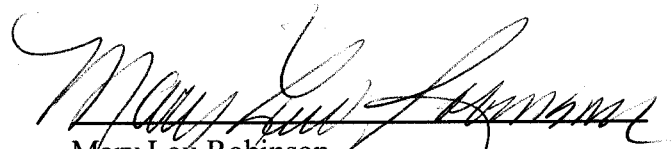
SANCTION ORDER

The Court finds appellant's February 25, 2011, pleading violates Rule 11, FED.R.CIV.PRO. APPELLANT IS, THEREFORE, SANCTIONED \$10.00; AND NO FUTURE NEW CASES WILL BE ACCEPTED FOR FILING UNTIL THIS SANCTION HAS BEEN PAID. ANY NEW COMPLAINT SUBMITTED FOR FILING BEFORE THE SANCTION HAS BEEN SATISFIED WILL BE RETURNED TO APPELLANT UNFILED.

APPELLANT IS INSTRUCTED TO READ AND COMPLY WITH RULE 11, FED.R.CIV.PRO. IN ALL FUTURE SUBMISSIONS TO THE COURT.

It is SO ORDERED.

ENTERED this 15th day of March, 2011.


Mary Lou Robinson
UNITED STATES DISTRICT JUDGE